

**DECLARATION - UTILITY OR DESIGN PATENT APPLICATION**  
**(37 CFR 1.63)**

As a below named inventor, I hereby declare that:

My Residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled Inactivated Influenza Virus Vaccine for Nasal or Oral Application, the specification of which hereto

(check [ ] is attached  
 one)

[X] was filed on August 10, 2001 (IA 2/01/2000) as Application Serial No. 09/913,400 or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Nos.	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
A194/99	Austria	2/11/99	<input type="checkbox"/>	<input type="checkbox"/>	X
PCT/AT00/00023	PCT	2/01/00	<input type="checkbox"/>	<input type="checkbox"/>	X
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s) or 365 (c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

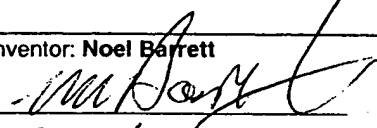

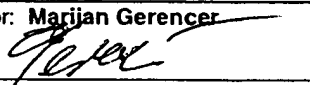

**DECLARATION - UTILITY OR DESIGN PATENT APPLICATION**  
(37 CFR 1.63)

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Michael C. Schiffer, Reg. No. 30,215, Michael F. Fedrick, Reg. No. 36,799, C. Joseph Faraci, Reg. No. 32,350 and Janice Guthrie, Reg. No. 35,170.

Direct all correspondence to:

C. Joseph Faraci  
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<p>Name of Sole or First Inventor: <b>Noel Barrett</b></p> <p>Inventor's signature: <u></u></p> <p>Date: <u>12-11-2001</u></p> <p>Residence: Steinwandgasse 6A Klosterneuburg/Weidling, Austria A-3400</p> <p>Citizenship: Irish</p> <p>Post Office Address: same</p>	<p>Name of Second joint Inventor: <b>Otfried Kistner</b></p> <p>Inventor's signature: <u></u></p> <p>Date: <u>25 Oct. 2001</u></p> <p>Residence: Weyringergasse 27/16 Vienna, Austria A-1040</p> <p>Citizenship: German</p> <p>Post Office Address: same</p>
<p>Name of Third joint Inventor: <b>Marijan Gerencer</b></p> <p>Inventor's signature: <u></u></p> <p>Date: <u>30.10.01.</u></p> <p>Residence: Frauengasse 11/2/18 Vienna, Austria A-1170</p> <p>Citizenship: Croatian</p> <p>Post Office Address: same</p>	<p>Name of Fourth joint Inventor: <b>Friedrich Dörner</b></p> <p>Inventor's signature: <u></u></p> <p>Date: <u>12-11-2001</u></p> <p>Residence: Peterlinigasse 17 Vienna, Austria A-1230</p> <p>Citizenship: Austrian</p> <p>Post Office Address: same</p>

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	)	Art Unit: 1648
BARRETT et al.	)	
Serial No.: 09/913,400	)	Examiner: Stucker, Jeffrey J.
Filed: 12/05/2001 (I.A. 02/01/2000)	)	Atty. Docket: V-224.00
For: Inactivated Influenza Virus Vaccine	)	May 20, 2002
For Nasal or Oral Application	)	

**ASSOCIATE POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, C. Joseph Faraci, Reg. No. 32,350, attorney of record in the present application, hereby appoints the following representatives, of the firm Heller, Ehrman, White & McAuliffe LLP, as associates with full powers to prosecute the above-identified application.

John P. Isacson, Reg. No. 33,715  
Patricia D. Granados, Reg. No. 33,683  
Colin G. Sandercock, Reg. No. 31,298

All correspondence should continue to be directed to:

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Respectfully submitted,



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